## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION DOCKET NO. 3:18-cv-00574-MOC-DSC

ERIC PLANT, LLC	)	
ERIC PLANT,	)	
D1 : .: CC	)	
Plaintiffs,	)	
**	)	ODDED
Vs.	)	ORDER
	)	
MICHAEL H WHITTAKER	)	
DAVID BRINE	)	
RAPID EPS LIMITED,	)	
	)	
Defendants.	)	

**THIS MATTER** is before the Court on plaintiffs' Objection to the Magistrate Judge's Order, which denied plaintiffs' Motion for Leave to Amend, and on defendants' Motion to Dismiss. After *de novo* review and a hearing, the Court enters the following Order.

## **ORDER**

IT IS, THEREFORE, ORDERED that plaintiffs' Objection to Magistrate Judge's Decision (#21) is SUSTAINED, plaintiffs' Motion for Leave to Amend (#15) is GRANTED, and defendants' Motion to Dismiss (#2) is DENIED without prejudice as moot. Plaintiffs are granted leave to file an Amended Complaint within 7 days of this Order. Defendants shall have 14 days to Answer or otherwise respond to that pleading.

Signed: March 13, 2019

Max O. Cogburn Jr United States District Judge